

**CITY OF MILPITAS
UNAPPROVED**

PLANNING COMMISSION MINUTES

May 28, 2003

**I.
PLEDGE OF
ALLEGIANCE**

Chair Hay called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.
ROLL CALL**

Present: Hay, Lalwani, Galang, Giordano, Nitafan, Sandhu and Williams

Absent:

Staff: Lindsay and Rodriguez

**III.
PUBLIC FORUM**

Chair Hay invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendaize the matter for a future meeting.

Al Garcia, CAC Chair, 1134 Ridgemont Drive, encouraged fellow Commissioners and the public to participate in the Neighborhood Night Out on August 12, 2003. The theme is building neighborhood spirit to solve issues and complaints and help each other in times of emergencies. Mr. Garcia stated that he is the point of contact and that Officer Steve Petrakovitz can also be contacted at 408-587-2527.

Commissioner Giordano asked how neighbors will be notified about the Night Out and Mr. Garcia said that the best way is word of mouth and inviting neighbors door-to-door.

Chair Hay stated he will be participating in the Neighborhood Night Out and encouraged other Commissioners to participate.

**IV.
APPROVAL OF MINUTES
May 14, 2003**

Chair Hay called for approval of the minutes of the Planning Commission meeting of May 14, 2003.

There were no changes to the minutes.

Motion to approve the May 14, 2003 minutes as submitted.

M/S: Sandhu/Giordano

AYES: 7

NOES: 0

**V.
ANNOUNCEMENTS**

James Lindsay, representing Planning Department staff, in response to Commissioner Giordano's request from the March 26, 2003 meeting from a concerned resident regarding speeding on Heath Street, pointed out the memorandum issued by the Traffic Engineer that indicated that enforcement was initiated to reduce speeding and that if there are any concerns to please contact Arlene DeLeon, Traffic Engineer at 408-586-3335.

Commissioner Giordano thanked staff for researching the matter and mentioned that she would give a copy of the memorandum to the resident. She also thanked staff for sending her to the UC Davis Extension class (Role of the Planning Commissioner), and encouraged other Commissioners to attend.

Vice Chair Lalwani announced that a business trade show will be held at the Crowne Plaza Hotel in Milpitas on May 29, 2003 at 5 p.m. and that that all are welcome to attend and there is no entrance fee.

Commissioner Galang announced that the Filipino Association will celebrate the Annual Filipino Multicultural Fiesta on Saturday June 7, 2003 at the Milpitas Community Center from 2 p.m. to 8 p.m. and there will be social dancing from 8 p.m. to midnight. The event is free and food will be sold at reasonable prices.

Commissioner Nitafan, also a member of the Filipino Association, encouraged the public to attend the event.

Commissioner Sandhu asked if there will be a Fourth of July parade this year and Mr. Lindsay said that he wasn't sure and would respond back to Commissioner Sandhu.

**VI.
APPROVAL OF
AGENDA**

Chair Hay called for approval of the agenda.

No changes by staff.

Motion to approve the agenda.

M/S: Lalwani/Nitafan

AYES: 7

NOES: 0

**VII.
CONSENT CALENDAR
Item Nos. 1, 2, 3, 4, 6, 7, 8
and 9**

Chair Hay asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar. There were no changes made.

Mr. Lindsay noted that the applicant has requested Item No. 5 (USE PERMIT NO. P-UP2003-17 and 'S' ZONE AMENDMENT NO. P-SA2003-8) be continued to the June 25, 2003 meeting, and requested that the recommendation be changed from denial to *continuance*.

In response to Commissioner Giordano's question on why the applicant has requested continuance, Mr. Lindsay noted that the applicant wants to redesign the project and needs more time.

Commissioner Giordano needed clarification on Item No. 2 (USE PERMIT NO. P-UP2003-13) condition no. 5 noted below, and asked how this is implemented.

5. *The business owner shall hold training sessions to instruct their employees on the proper procedures in the handling and disposal of food items; the general maintenance and use of the garbage bins and any other procedures that would assist the business in complying with all state and local health and sanitation standards (refer to the County of Santa Clara Department of Environmental Health at (408) 729-5155 for their guidelines). (P)*

Mr. Lindsay noted that this is something the business owner is required to do and implementation is verified through site visits and/or complaints about trash enclosure or garbage disposal problems.

Chair Hay opened the public hearing on Consent Item Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

There were no speakers from the audience.

**Close Public Hearing
Item Nos. 1, 2, 3, 4, 7 and 8.
Item No. 5 to be continued
to the June 25, 2003
meeting and Item No. 6 to
be continued to the June
11, 2003 meeting**

Motion to close the public hearing on Consent Item Nos. 1, 2, 3, 4, 7 and 8 and continue Item No. 5 to the June 25, 2003 meeting and Item No. 6 to the June 11, 2003 meeting.

M/S: Lalwani/Nitafan

AYES: 7

NOES: 0

Motion to approve the consent calendar on Consent Item Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9.

***1 USE PERMIT NO. P-UP2003-15:** A request to operate a grocery store in an existing 1,050 square foot retail space in Milpitas Square at 272 Barber Court, zoned C2 – General Commercial district (APN 86-01-043). Applicant: Ching-Lin Chang. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2329). *(Recommendation: Approval with Conditions)*

***2 USE PERMIT NO. P-UP2003-13:** A request to operate a Chinese fast food restaurant and bakery, New Hwong Kok Bakery, with 8 seats in an existing 1,501 square foot retail space in Crescent Square at 1705 N. Milpitas Blvd., zoned C1 - Neighborhood Commercial district (APN 22-02-049). Applicant: Hau-Ching Liao. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2331). *(Recommendation: Approval with Conditions)*

***3 USE PERMIT NO. P-UP2003-14:** A request to operate a printing shop using conventional offset printing presses in an existing 13,843 square foot tenant space at 1090 S. Milpitas Blvd., zoned M2 - Heavy Industrial district (APN 86-30-38). Applicant: Danny Luong. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2327). *(Recommendation: Approval with Conditions)*

***4 TIME EXTENSION (P-TE2003-3):** A request for a one time, 18-month time extension of a previously-approved Site and Architecture Review for demolition of existing structures and construction of 2 new, two-story research and development/offices. totaling 80,000 square feet, at 985 Montague Expressway, zoned M2, Heavy Industrial district (APN: 086-32-020). Applicant: WPI/JCI LLC. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*

***5 USE PERMIT NO. P-UP2003-17 and 'S' ZONE AMENDMENT NO. P-SA2003-8:** A request for the installation of twelve (12) telecommunication antennas and associated equipment cabinet on the Embassy Suites Hotel rooftop located at 901 E. Calaveras Boulevard, zoned Town Center (APN: 028-26-001). Applicant: Verizon Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ #2246). *(Recommendation: Continue to the June 25, 2003 meeting)*

- *6 USE PERMIT NO. P-UA2002-8:** *(Continued from April 9, 2003)* A request for beer and wine sales and a reduction in the number of parking spaces required by the zoning code in conjunction with a request to add 12 seats to an existing 37-seat Tofu House restaurant. (APN 022-25-041). Applicant: Sung Ho Yoon. Project Planner: Troy Fujimoto 586-3287. (PJ#2245) *(Recommendation: Continue to June 11, 2003)*
- *7 USE PERMIT AMENDMENT P-UA2002-11:** Six-month follow-up review regarding extension of business hours and live entertainment (karaoke) at the Lutong Pinoy Filipino Cuisine restaurant, located at 1245 Jacklin Road. (APN 29-9-57). Applicant: Lutong Pinoy Filipino Cuisine. Project Planner: Annelise Judd, (408) 586-3273. *(Recommendation: Note receipt and file)*
- *8 USE PERMIT NOS. P-UA2003-5 AND P-UA2003-10 AND "S" ZONE AMENDMENT NO. P-SA2003-12:** Request to amend previous use permits and site and architectural approvals for 9 telecommunication antennas housed in an additional building story for approval of 12 antennas and associated equipment housed in a proposed 256 square foot clock tower, 62'-10" in height at 1000 Jacklin Road (APN: 28-05-015) and the related Negative Declaration. Applicant: AT&T Wireless. Project Planner: Staci Pereira, (408) 586-3278. (PJ#2286) *(Recommendation: Approval with Conditions)*
- *9 RESOLUTION NO. 493 (P-AD2003-7):** Adoption of a Resolution finding the proposed purchase of properties described as APN Nos. 86-11-013, 86-10-025, and a portion of 86-05-009 by the Redevelopment Agency is consistent with the General Plan. Staff Contact: James Lindsay, 586-3274. *(Recommendation: Adopt Commission Resolution)*

M/S: Giordano/Lalwani

AYES: 7

NOES: 0

VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:15 p.m. to the next regular meeting of June 11, 2003.

Respectfully Submitted,

Tambri Heyden
Planning Commission
Secretary

Veronica Rodriguez
Recording Secretary